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PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PRIMARY EXAMINER**

Application of:

Applicant: Paul S. Prevey III

Serial No.: 09/516,328

Filed: March 1, 2000 Art Unit: 3726

Docket: LRI-003PAT Examiner: Eric Compton

Title: **METHOD AND APPARATUS FOR PROVIDING A RESIDUAL STRESS
DISTRIBUTION IN THE SURFACE OF A PART**

AMENDMENT AFTER FINAL REJECTION

Honorable Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

AMENDMENT

This Amendment is made under 37 CFR 1.116 and is presented to present them in better form for consideration on appeal.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being transmittal by facsimile to the Patent and Trademark Office on January 22, 2002.

January 22, 2002


Mark F. Smith

LRI-003PAT

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Admitted in Ohio and Kentucky ▲

Admitted in Ohio and Minnesota ▲

Technical Consultants
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Jacquelyn A. Reed Ph.D.

DATE: January 22, 2002

TO: Examiner Eric Compton, Group 3726

ADDRESS: Assistant Commissioner for Patents
Box AF
Washington, D.C. 20231

SENDER'S DIRECT DIAL NO.: (513) 229-0383

TOTAL NUMBER OF PAGES: 11

ADDITIONAL INFORMATION: Applicant: Paul S. Prevey, Ser. No. 09/516,328, Filed: March 1, 2000, Docket No.: LRI-003PAT

FAX TO:

Name	Fax Number	Confirm Number
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<u>E. Compton</u>	703-305-3679	
	<u>703-872-9303</u>	

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FAX RECEIVED
JAN 23 2002
GROUP 3700

Attorney's Docket No. LRI-003PAT

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Paul S. Prevey III

FAX RECEIVED

Serial No.: 09/516,328 Group No.: 3726 JAN 23 2002

Filed: March 1, 2000 Examiner: Eric Compton GROUP 3700

For: **METHOD AND APPARATUS FOR PROVIDING A RESIDUAL STRESS DISTRIBUTION IN THE SURFACE OF A PART**

RESPONSE UNDER
37 CFR 1.116

Box AF
Assistant Commissioner for Patents
Washington, D.C. 20231

NOTE: To take advantage of the expedited procedure the envelope in which this paper is mailed must be addressed as shown and must also be marked "Box AF" in the lower left hand corner. Alternatively this paper can be hand carried to the particular Examining Group or other area of the Office in which the application is pending, in which case any envelope in which this paper is placed must be marked as in the bold type box above. Notice of September 20, 1985 (1059 0.3. 19-20).

AMENDMENT OR RESPONSE AFTER FINAL REJECTION - TRANSMITTAL

1. Transmitted herewith is an amendment after final rejection (37 CFR 1.116) for this application.

NOTE: Response to Final Rejection -Avoiding Extension Fees "In patent applications wherein a three month Shortened Statutory Period (SSP) is set for response to a Final Rejection, the response would best be filed within two months of the date of the Office Action. If filed within two months, any Advisory Action mailed after the 559 expires will reset the 559 to expire on the date of the Advisory Action for extension fee purposes, but never more than six months from the date of the Final Rejection." Notice of November 30, 1990 (1122 0.3.57) to 591).

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8a)

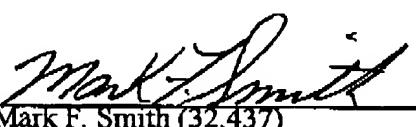
I hereby certify that this correspondence is, on the date shown below, being:

MAILING**FACSIMILE**

____ Deposited with the United States Postal Service with sufficient postage as first class Mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Transmitted by facsimile to the Patent and Trademark Office on January 22, 2002.

Date: January 22, 2002

Signature: 
 Mark F. Smith (32,437)

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STATUS

2. Applicant is

a small entity.
 other than a small entity.

EXTENSION OF TERM

NOTE: As to a Supplemental Amendment filed in response to a final office action, the Notice of December 10, 1985 (1061 O.G. 34-35) states:

- a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run.

3. (complete (a) or (b), as applicable)

(a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d)) for the total number of months checked below:

Extension (months)	Fee for other than small entity	Fee for small entity
one month	\$ 110.00	\$ 55.00
two months	\$ 390.00	\$195.00
three months	\$ 890.00	\$445.00
four months	\$1,390.00	\$945.00

Fee: \$00.00

If additional extension of time is required please, consider this a petition therefor.

(check and complete the next item, if applicable)

An extension for _____ Months has already been secured and the fee paid therefor of \$_____ Is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$_____.

OR

(b) Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

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FEE FOR CLAIMS

4. The fee for claims (37 CFR 1.16(b)-(d)) has been calculated as shown below:

(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY		OTHER THAN A SMALL ENTITY	
CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE	OR	RATE
TOTAL *	MINUS **	=	X 9 =	\$	X 18 =	\$
INDEP. *	MINUS ***	=	X 40 =	\$	X 80 =	\$
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM			X 135=	\$	X 270 =	\$
			TOTAL	\$	OR	TOTAL
			ADDIT. FEE	\$ 0.00		\$

* If the entry in Col. 1 is less than entry in Col. 2, write "0" in Col. 3.

** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".

WARNING: "After final rejection or action (37 CFR 1.113) amendments may be made cancelling claims or complying with any requirements of form which has been made. 37 CFR 5.1.776(a) (emphasis added).

(complete (c) or (d), as applicable)

(c) No additional fee is required.

OR

(d) Total additional fee required is \$_____

FEE PAYMENT

5. Attached is a check in the sum of \$00.00.

Charge Account No. _____ The sum of \$_____
A duplicate of this transmittal is attached.

FEE DEFICIENCY

NOTE: Where there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the case. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986 (1065 O.G. 31-33).

6. If any additional extension and/or fee is required, charge Account No. _____.

AND/OR

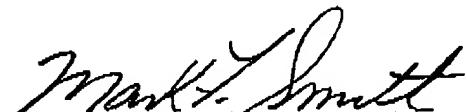
7. If any additional fee for claims is required, charge Account No. _____.

ADDITIONAL DOCUMENTS

8. Enclosed herewith are the following additional documents:

Reg. No. 32,437

513-229-0383/0686 (phone)
513-229-0683 (Fax)



Signature of Attorney

Mark F. Smith

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